

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SHUKURA MITCHELL,

Plaintiff,

vs.

COMMISSIONER, SOCIAL SECURITY
ADMINISTRATION

Defendant.

Civil No. 3:24-cv-00979-MK

ORDER OF REMAND

Based on the stipulation of the parties, the Court hereby ORDERS that this case be remanded to the agency for further administrative proceedings pursuant to the fourth sentence of 42 U.S.C. § 405(g). On remand, an administrative law judge will offer Plaintiff the opportunity for a hearing, take any further action needed to complete the administrative record, and issue a new decision. The ALJ will also reevaluate Plaintiff's ability to perform work in the national economy, to include obtaining vocational expert evidence as necessary, while resolving any inconsistencies between the vocational expert testimony, the Dictionary of Occupational Titles, and the residual functional capacity. The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final decision of the Commissioner.

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After judgment, Plaintiff may be entitled to reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412(d), upon proper request to this Court.

IT IS SO ORDERED this 21st day of October 2024.

s/ Mustafa T. Kasubhai
MUSTAFA T. KASUBHAI (He / Him)
United States Magistrate Judge

Submitted by:

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United States Attorney

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s/ Christopher Vieira
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